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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

GALL, LLOYD A

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 01/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/076,947

Applicant(s)

PRICE, DENNIS C.

Examiner

Lloyd A. Gall

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 11 and 15-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, if the driver pin bores along plane P1 are defined in line 3 as the second driver pin bores, it is not clear in what sense the driver pin bores of the first and third sets in claim 3 are not parallel to one another. See claim 11 also, as it depends from claim 10. In claim 15, lines 19, 23 and 27, the second occurrence of "pins" should be replaced with --pin bores--.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Schreiber et al (272).

As seen in figs. 1 and 2, Schreiber et al teaches a lock housing mogul 14, a cylinder blank 10, and driver pin bores and pass key pin bores along at least three planes, including driver pins 58 and pass key pins 78 as seen in fig. 2.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 12, 13, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al (272) in view of Taylor (209).

Taylor teaches a shielding device (pins 5) in front of driver bores, as well as a shielding device 4 between pass key pin bores and the front surface of the cylinder blank. To modify the lock of Schreiber et al to include the shields of Taylor, would have been obvious to one of ordinary skill in the art, to protect the driver pins and pass key pins from tampering attempts.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al (272) in view of Vanelli Coralli et al.

Vanelli Coralli et al teaches a shield 4 in fig. 3 which covers all radial planes leading from the key slot (T). To provide a shield which covers all planes and pass key pins of Schreiber et al would have been obvious in view of the teaching of Vanelli Coralli et al, to protect the key pins and cylinder blank from tampering attempts.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al (272) in view of Eras.

Eras teaches a shielding device 6 in front of driver pin bores in all (top and bottom) planes which possess driver pins. To modify the driver pin bores in all planes of Schreiber to include a shielding device, would have been obvious in view of the teaching of Eras, to protect the driver pins from tampering attempts.

Claims 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al in view of Eras and Vanelli Coralli et al.

All of the references have been discussed above. To modify all driver pin bore planes to include a shielding device, would have been obvious in view of the teaching of Eras, to protect the driver pins from tampering attempts. To modify the lock of Schreiber et al to include a shielding device for all pass key pins/bores, would have been obvious in view of the teaching of Vanelli Coralli et al, to protect the pass key pins from tampering attempts.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shvarts teaches three shielding pins 30 in front a driver pin bore plane. Keller teaches pins/bores along four radial planes. The remaining references each teach a shielding device protecting driver or pass key pins.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 703-308-0828. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.

LG LG
January 27, 2003

Allyssa A. Hall
JAN 28 2003
Primary Examiner